

R&A

4-1-04

Final Order No. DOH-04-0509-FOF-MOA  
FILED DATE - 5/18/04  
Department of Health  
By: Nicole Singala  
Deputy Agency Clerk

FILED  
MAY 20 PM 2:54  
DEPARTMENT OF HEALTH  
TALLAHASSEE, FLORIDA

STATE OF FLORIDA  
BOARD OF OPTICIANRY

DEPARTMENT OF HEALTH, BOARD OF  
OPTICIANRY,

AT

Petitioner,  
vs.

DOAH CASE NO. 03-4028PL

NORMAN GOODMAN,

mmp-clw

Respondent.

\_\_\_\_\_ /

FINAL ORDER

THIS CAUSE came before the Board of Opticianry (Board) in Tallahassee, Florida, on May 5, 2004, pursuant to section 120.569 and section 120.57(1), Florida Statutes, for the purpose of considering the attached Administrative Law Judge's Recommended Order. Petitioner was represented by Assistant Attorney General Brian J. Stabley. Respondent was present.

Upon review and consideration of the Recommended Order and after a review of the available record in this case, the Board made the following findings of fact and conclusions of law:

FINDINGS OF FACT

1. The findings of fact set forth in the Recommended Order are approved, adopted, and incorporated herein by reference.
2. The findings of fact are supported by competent, substantial evidence in the record.

**CONCLUSIONS OF LAW**

3. The Board has jurisdiction of this matter pursuant to sections 120.569 and 120.57(1), and part I of chapter 484, Florida Statutes.

4. The conclusions of law set forth in the Recommended Order are consistent with the findings and are approved, adopted, and incorporated herein by reference.

**RECOMMENDATION**

5. The Administrative Law Judge's Recommendation is hereby approved and adopted.

WHEREFORE,

IT IS HEREBY ORDERED AND ADJUDGED that the violations charged in the Administrative Complaint are Dismissed.

DONE AND ORDERED this 18<sup>th</sup> day of May, 2004.

BOARD OF OPTICIANRY

  
\_\_\_\_\_  
Sue Foster, Board Executive Director for  
Pamela P. Holt, Board Chair

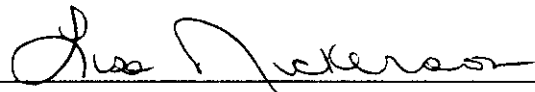
**NOTICE OF RIGHT TO JUDICIAL REVIEW**

A party who is adversely affected by this final order is entitled to judicial review pursuant to Section 120.68, Florida Statutes. Review proceedings are governed by the Florida Rules of Appellate Procedure. Such proceedings are commenced by filing one copy of a notice of appeal with the agency clerk of the Department of Health and a second copy,

accompanied by filing fees prescribed by law, with the District Court of Appeal, First District, or with the District Court of Appeal in the Appellate District where the party resides. The notice of appeal must be filed within 30 days of rendition of the order to be reviewed.

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing Final Order has been furnished by U.S. Mail to Michael M. Parrish, Administrative Law Judge, Division of Administrative Hearings, The DeSoto Building, 1230 Apalachee Parkway, Tallahassee, Florida 32399-3060; to Norman Goodman, 8246 Jog Road, Boynton Beach, Florida, 33437; and by interoffice mail to Assistant Attorney General Brian J. Stabley, Office of the Attorney General, PL-01 The Capitol, Tallahassee, Florida 32399, and Donna Erlich, Assistant General Counsel, Department of Health, Prather Building, Tallahassee, Florida, this 19<sup>th</sup> day of May, 2004.



**Deputy Agency Clerk**